

September 19, 2006 CPC



STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06SN0335

Greenacres Limited Partnership

Matoaca Magisterial District

Spring Run Elementary, Bailey Bridge Middle and Manchester High Schools Attendance Zones
Lying off the southeastern terminus of Buncrana Lane

REQUEST: Rezoning from Agricultural (A) to Residential (R-25).

PROPOSED LAND USE:

A residential subdivision is planned with a minimum lot size of 43,560 square feet (Proffered Condition 3). The average actual lots recorded in a Residential (R-25) District, utilizing public water and private septic systems, between 2003 and 2004 was 0.57 units per acre, yielding approximately thirty (30) dwelling units.

RECOMMENDATION

Recommend approval subject to the applicant addressing density concerns, as discussed herein. This recommendation is made for the following reasons.

- A. While the proposed zoning does not conform to the Southern and Western Area Plan which suggests the property is appropriate for 1-5 acre lots (suitable to Residential (R-88) zoning), area R-25 properties were zoned prior to adoption of the Plan. It may be appropriate given these past decisions to allow development based on similar standards provided the recommended densities of the Plan (0.5 units per acre) are not exceeded.
- B. Failure to maintain the densities recommended by the Plan could adversely impact the ability to provide adequate public facilities.
- C. The proffered conditions adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and

Comprehensive Plan. Specifically, the needs for roads, schools, park, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvements Program, and the impact of his development is discussed herein. The proffered conditions adequately mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

- (NOTES:
- A. THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS.
 - B. IT SHOULD BE NOTED THAT AMENDMENTS TO THE PROFFERED CONDITIONS WERE NOT RECEIVED AT LEAST THIRTY (30) DAYS PRIOR TO THE COMMISSION'S PUBLIC HEARING PER THE "SUGGESTED PRACTICES AND PROCEDURES". THE "PROCEDURES" SUGGEST THAT THE CASE SHOULD BE DEFERRED IF REPRESENTATIVES FROM THE AFFECTED NEIGHBORHOODS(S), STAFF AND THE COMMISSIONERS HAVE NOT HAD SUFFICIENT TIME TO EVALUATE THE AMENDMENTS. STAFF HAS HAD AN OPPORTUNITY TO THOROUGHLY REVIEW THESE AMENDED PROFFERS.)

PROFFERED CONDITIONS

1. Cash Proffer. The applicant, subdivider, or assignee(s) (the "Applicant") shall pay the following to the County of Chesterfield prior to the issuance of a building permit for each dwelling unit for infrastructure improvements within the service district for the property:
 - a. \$15,600 per dwelling unit if paid prior to July 1, 2006. At the time of payment, the \$15,600 will be allocated pro-rata among the facility costs as follows: \$5,331 for schools, \$602 for parks and recreation, \$348 for library facilities, \$8,915 for roads, and \$404 for fire stations; or
 - b. The amount approved by the Board of Supervisors not to exceed \$15,600 per dwelling unit prorated as set forth above and adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2005 and July 1 of the fiscal year in which the payment is made if paid after June 30, 2006.
 - c. If, upon the mutual agreement of the Transportation Department and the Applicant, the Applicant provides road improvements (the "Improvements"), then the transportation component in this Proffered Condition shall be reduced by an amount not to exceed the cost to construct the Improvements so long as the cost is of equal or greater value

than that which would have been collected through the payment(s) of the road component of the cash proffer as determined by the Transportation Department. Once the sum total amount of the cash proffer credit exceeds the cost of the Improvements, as determined by the Transportation Department, thereafter the Applicant shall commence paying the cash proffer as set forth in this Proffered Condition as adjusted for the credit. For the purposes of this proffer, the costs, as approved by the Transportation Department, shall include, but not be limited to, the cost of right-of-way acquisition, engineering costs, costs of relocating utilities and actual costs of construction (including labor, materials, and overhead) ("Work"). Before any Work is performed, the Applicant shall receive prior written approval by the Transportation Department for the Improvements and any credit amount.

- d. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. (B&M)
2. Timbering. Except for the timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)
3. Minimum lot size. The minimum lot size shall be 43,560 square feet (1 acre). (P)
4. Any residential lots having sole access through Donegal Glen Subdivision shall have an average lot size of 51,380 square feet. Such lots shall not exceed a density of 0.78 dwelling units per acre. (P)

GENERAL INFORMATION

Location:

Lies off southeastern terminus of Buncrana Lane, southeast of Derryreach Drive. Tax ID 734-658-8633 (Sheet 24).

Existing Zoning:

A

Size:

53.7 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North, South and East - R-25; Single family residential or vacant
West - A; Vacant

UTILITIES

Public Water System:

The public water system is not directly available to serve this site. There is an existing sixteen (16) inch water line extending along a portion of Spring Run Road that terminates at Hensley Road. Public water service from this sixteen (16) inch line will require an off-site extension of approximately 8,400 feet to serve the request site. The Water/Wastewater Facilities Plan calls for a future water line with a minimum twelve (12) inch diameter to be extended with development from the existing sixteen (16) inch water line in Spring Run Road along a portion of Hensley Road, North Donegal Road, Derryveach Drive, and Donegal Drive to Qualla Road. Installation of a portion of this water line will be required to serve the request site. Future development of parcels west of this site may allow for a waterline extension from the existing sixteen (16) inch line along Brandy Oaks Boulevard, in Brandy Oaks Subdivision. This line is approximately 4,000 feet west of this site. Further evaluation will be required to determine if this is a suitable source. This site is within the area deemed suitable for R-88 zoning of the Southern and Western Area Plan. Use of public water is required.

Per Utilities Department Design Specifications (DS-21), wherever possible, two (2) supply points shall be provided for subdivisions containing more than twenty-five (25) lots.

Public Wastewater System:

The public wastewater system is not available to serve this site. This site is within the area deemed suitable for R-88 zoning of the Southern and Western Area Plan. Private septic systems are permitted in this area.

Private Septic Systems:

Use of private septic tanks must be approved by the Health Department.

ENVIRONMENTAL

Drainage and Erosion:

The subject property drains to the rear to a tributary that flows to Swift Creek. There are no known on- or off-site drainage or erosion problems and none are anticipated after development.

The property is wooded and, as such, should not be timbered without obtaining a land disturbance permit from the Department of Environmental Engineering. This will ensure that adequate erosion measures are in place prior to any land disturbance. (Proffered Condition 2)

Water Quality:

The off-site tributary to which this property drains is a perennial stream is subject to a 100 foot conservation area which extends onto this property. This conservation area has very limited uses.

PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program. This development will have an impact on these facilities.

Fire Service:

The Public Facilities Plan indicates that fire and emergency medical service (EMS) calls are expected to increase forty-four (44) to seventy-eight (78) percent by 2022. Six (6) new fire/rescue stations are recommended for construction by 2022 in the Plan. In addition to the six new stations, the Plan also recommends the expansion of five (5) existing stations. Based on thirty (30) dwelling units, this request will generate approximately two (2) calls for fire and emergency medical service each year. The applicant has addressed the impact on fire and EMS. (Proffered Condition 1)

The Winterpock Fire Station, Company Number 19 currently provides fire protection and emergency medical service. When the property is developed, the number of hydrants, quantity of water needed for fire protection, and access requirements will be evaluated during the plans review process.

Schools:

Approximately sixteen (16) (Elementary: 7, Middle: 4, High: 5) students will be generated by this development. Currently, this site lies in the Spring Run Elementary School attendance zone: capacity - 943, enrollment - 1,297; Bailey Bridge Middle School zone: capacity - 1,562, enrollment - 1,559; and Manchester High School zone:

capacity – 1,941, enrollment – 2,467. The enrollment is based on September 30, 2005 and the capacity is as of 2005-2006. There are currently fifteen (15) trailers at Spring Run Elementary and seventeen (17) at Manchester High.

A new elementary school scheduled to open in the fall of 2007 will provide relief to elementary schools in this area of the County. A new middle school is in the current Capital Improvement Plan and is proposed to open in the fall of 2008 that will provide relief for schools in this area of the county. The new Cosby High School is under construction, and is scheduled to open this fall. This school will provide relief for Clover Hill and Manchester High Schools.

This case, combined with other tentative residential developments and zoning cases in the zones, would continue to push these schools to capacity. This case could necessitate some form of relief in the future. The applicant has addressed the impact of the development on schools. (Proffered Condition 1)

Libraries:

Consistent with the Board of Supervisors' policy, the impact of development on library services is assessed County-wide. Based on projected population growth, the Public Facilities Plan identifies a need for additional library space throughout the County.

Development of property in this area of the County would most likely affect the existing Clover Hill Library, the existing Central Library or a proposed new facility identified in the Plan in the vicinity of Beach and Winterpock Roads. The applicant has addressed the impact of the development on libraries. (Proffered Condition 1)

Parks and Recreation:

The Public Facilities Plan identifies the need for three (3) new regional parks, seven (7) community parks, twenty-nine (29) neighborhood parks and five (5) community centers by 2020. In addition, the Plan identifies the need for ten (10) new or expanded special purpose parks to provide water access or preserve and interpret unique recreational, cultural or environmental resources. The Plan identifies shortfalls in trails and recreational historic sites.

The applicant has offered measures to assist in addressing the impact of this proposed development on these parks and recreational facilities. (Proffered Condition 1)

Transportation:

The property (53.7 acres) is currently zoned Agricultural (A), and the applicant is requesting rezoning to Residential (R-25). The applicant has proffered a minimum lot size of one (1) acre (Proffered Condition 3). Based on single-family trip rates, development could generate approximately 580 average daily trips. These vehicles will be distributed through streets in Donegal Forest North, Donegal Glen, Donegal Forest

and Rocky Run Subdivisions to Spring Run Road which had a 2003 traffic count of 4,955 vehicles per day (VPD) and to Qualla Road which had a 2004 traffic count of 4,200 VPD.

The property has potential access through a stub road right of way; Buncrana Lane. Included in the Subdivision Ordinance is the Planning Commission's Stub Road Policy. The Policy suggests that subdivision streets anticipated to carry 1,500 VPD or more should be designed as "no-lot frontage" collector roads. Traffic generated by this development is anticipated to travel along Donegal Drive, Derryveach Drive and North Donegal Drive. Those streets were developed prior to the adoption of the Stub Road Policy. Donegal Drive had a 2006 traffic count of 954 VPD, and North Donegal Drive had a 2006 traffic count of 525 VPD. Traffic generated by this development traveling along those subdivision streets is not anticipated to exceed the acceptable subdivision street volume as defined by the Stub Road Policy.

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. Spring Run Road and Qualla Road will be directly impacted. Sections of Spring Run Road have nineteen (19) to twenty (20) foot wide pavement with no shoulders. The capacity of Spring Run Road is acceptable (Level of Service D) for the volume of traffic it carries (4,955 VPD). Sections of Qualla Road have twenty (20) to twenty-one (21) foot wide pavement with no shoulders. The capacity of Qualla Road is acceptable (Level of Service D) for the volume of traffic it carries (4,200 VPD).

The traffic impact of this development must be addressed. The applicant has proffered to contribute cash, in an amount consistent with the Board of Supervisors' Policy, towards mitigating the traffic impact of this development (Proffered Condition 1). As development continues in this part of the county, traffic volumes on area roads will substantially increase. Cash proffers alone will not cover the cost of the improvements needed to accommodate the traffic increases. No road improvement projects in this part of the county are included in the Six-Year Improvement Plan, except for several safety improvement projects to Spring Run Road and one (1) safety improvement project on Qualla Road.

At time of tentative subdivision review, specific recommendations will be provided regarding the internal street network, including the need for stub road rights of way to adjacent properties.

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	30*	1.00
Population Increase	81.60	2.72
Number of New Students		
Elementary	6.99	0.23
Middle	3.90	0.13
High	5.07	0.17
TOTAL	15.96	0.53
Net Cost for Schools	160,440	5,348
Net Cost for Parks	18,120	604
Net Cost for Libraries	10,470	349
Net Cost for Fire Stations	12,150	405
Average Net Cost for Roads	268,260	8,942
TOTAL NET COST	\$469,440	\$15,648

* Based on an average actual yield of 0.57 dwelling units per acre. The actual number of dwelling units and corresponding impact may vary.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries, and fire stations at \$15,648 per unit. The applicant has been advised that a maximum proffer of \$15,600 per unit would defray the cost of the capital facilities necessitated by this proposed development. Consistent with the Board of Supervisors' policy, and proffers accepted from other applicants, the applicant has offered cash and road improvements, upon mutual agreement, to assist in defraying the cost of this proposed zoning on such capital facilities. (Proffered Condition 1)

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Southern and Western Area Plan which suggests the property is appropriate for 1-5 acre lots; suited to Residential (R-88) zoning. While R-88 zoning allows development of one (1) acre lots, such lots are required to utilize both

public water and sewer and the one (1) acre is only permitted if provisions are made to provide recorded open space under the Virginia Land Use Assessment Law.

The R-88 land use designation established in the Plan was based, in part, upon the anticipated availability of public utilities to serve properties. The maintenance of the integrity of important environmental and visual resources and the promotion of a range of densities and variety of living environments also played key roles in the support for lower density development in this area.

Area Development Trends:

Properties within the immediate vicinity of the subject parcel are zoned Residential (R-25) and are developed as the Donegal Glen, Donegal Forest and Rocky Run Subdivisions, or are zoned Agricultural (A) and are currently vacant. These R-25 developments were zoned between 1975 and 1990, prior to the adoption of the Southern and Western Area Plan in 1993.

Given these past actions and the geographic location of the subject property in relationship to these R-25 zoned parcels, it may be appropriate to zone the subject parcel similarly provided the recommended densities of the Plan are not exceeded.

Density and Lot Size:

Proffered Conditions require a minimum lot size of one (1) acre (Proffered Condition 3). Proffered Conditions do not, however, address density limitations. As noted previously, it may be appropriate to zone the subject property to R-25 similar to surrounding properties' zoning provided density is limited per the recommendations of the Plan.

Access to the subject property may be provided through Donegal Glen Subdivision, Section 2, which contains an average lot size of 51,380 square feet and density of 0.78 dwelling units per acre. In an effort to address compatibility with this adjacent development through which this property may have sole access, the applicant has addressed average lot sizes and densities consistent with those of Donegal Glen. (Proffered Condition 4)

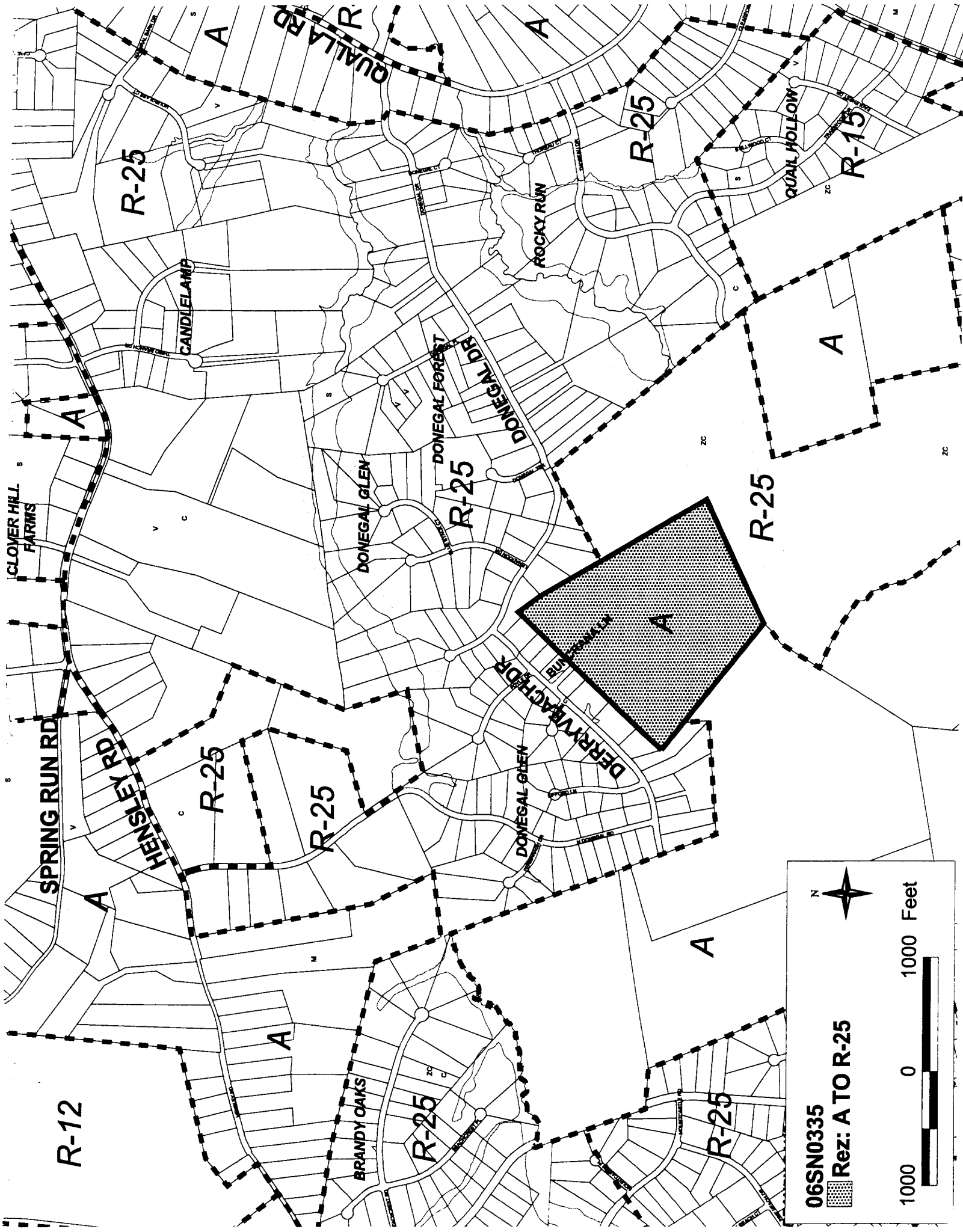
CONCLUSIONS

While the proposed zoning does not conform to the Southern and Western Area Plan which suggests the property is appropriate for 1-5 acre lots (suitable to Residential (R-88) zoning), there may be merit to allowing R-25 zoning similar to that which exists on surrounding properties provided that the goal of the Plan to maintain 0.5 dwelling units per acre is achieved. To date, however, the applicant has been unwilling to address this concern. As proffered, the development could occur with a minimum lot size of 43,560 square feet (one acre) and result in densities ranging between 0.57 to 0.99 dwelling units per acre.

Land use designations established in the Plan were based upon the anticipated availability of public utilities (in this area, the availability of water) as well as maintaining the integrity of important environmental and visual resources while promoting a range of densities and variety of living environments. While the Plan supports smaller lot sizes than two (2) acres, it does so provided open space and rural character is maintained.

As proffered, the proposal fails to either assure the 0.5 dwelling unit per acre densities recommended by the Plan or address the preservation of features or creation of amenities that would be in furtherance of the goal to maintain the rural flavor of the landscape. It would appear reasonable in this instance, given past development trends, to forego the goals relating to rural character and compromise by assuring that the recommended densities of the Plan are not exceeded.

Staff could support this proposal with density limitations consistent with the Plan. Exceeding the densities recommended by the Plan could adversely impact the ability to provide adequate public facilities in the area. The Public Facilities Plan anticipates needed public facilities based upon area Plan's density recommendations.



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Rez: A TO R-25

